IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA) 8:40CB440
Plaintiff,) 8:10CR110)
vs.) DETENTION ORDER
KEVIN M. JONES,	
Defendant.	}
A. Order For Detention After conducting a detention hearing purs Reform Act on March 23, 2010, the Court ord pursuant to 18 U.S.C. § 3142(e) and (i).	suant to 18 U.S.C. § 3142(f) of the Bail ders the above-named defendant detained
conditions will reasonably assure the	n because it finds: ence that no condition or combination of appearance of the defendant as required. It no condition or combination of conditions
of 21 U.S.C. § 841(a)(1) years imprisonment and (b) The offense is a crime of (c) The offense involves a na	e offense charged: n of "crack" cocaine (3 counts) in violation) each carry a minimum sentence of five a maximum of forty years imprisonment.
may affect wheth The defendant h X The defendant h The defendant h The defendant of ties. Past conduct of the defendant h Court proceeding	appears to have a mental condition which her the defendant will appear. Leas no family ties in the area. Leas no steady employment. Leas no substantial financial resources. Leas not a long time resident of the community. Leas not have any significant community. Leas a history relating to drug abuse. Leas a history relating to alcohol abuse. Leas a significant prior criminal record. Leas a prior record of failure to appear at the corts, the defendant was on:

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		Release pending trial, sentence, appeal or completion of sentence.
		(c) Other Factors: The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
		The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal. Other:
X	(4)	The nature and seriousness of the danger posed by the defendant's
		release are as follows: The nature of the charges in the Indictment and that the offenses were committed while on supervised release for a drug offense.
Х	(5)	Rebuttable Presumptions
	()	In determining that the defendant should be detained, the Court also relied on the following rebuttable presumption(s) contained in 18 U.S.C. §
		3142(e) which the Court finds the defendant has not rebutted:
	X	(a) That no condition or combination of conditions will reasonably
		assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that
		the crime involves:
		(1) A crime of violence; or
		(2) An offense for which the maximum penalty is life
		imprisonment or death; or X (3) A controlled substance violation which has a maximum
		penalty of 10 years or more; or
		(4) A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, and the defendant has a prior conviction for
		one of the crimes mentioned in (1) through (3) above which is less than five years old and which was
		committed while the defendant was on pretrial release.
	Χ	(b) That no condition or combination of conditions will reasonably
		assure the appearance of the defendant as required and the safety
		of the community because the Court finds that there is probable
		cause to believe:
		X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of
		10 years or more.
		(2) That the defendant has committed an offense under 18
		U.S.C. § 924(c) (uses or carries a firearm during and
		in relation to any crime of violence, including a crime of
		violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous weapon or device).

 D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from
 persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 23, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge